

24725. Fresh spinach (9 seizure actions). (F.D.C. Nos. 41243, 41248, 41249, 41298, 41307, 41308, 41309, 41310, 41318. S. Nos. 44-290/1 M, 79-179 M, 79-462 M, 82-130 M, 82-132 M, 85-286 M, 90-309/12 M.)

QUANTITY: 6,346 bushel baskets at New York, N.Y.; Jersey City, N.J.; Cleveland, Ohio; Chicago, Ill.; Philadelphia, Pa.; and Chelsea and Boston, Mass.

SHIPPED: Between 12-11-57 and 12-14-57, from Crystal City, Tex., by Warren Wagner Shed.

LABEL IN PART: "Spinach My Specialty T&G Warren Wagner, Crystal City, Texas," "Warren Wagner Grower—Shipper Crystal City, Texas," and "Warren Wagner Crystal City, Texas * * * T&G Spinach."

LIBELED: Between 12-19-57 and 12-30-57, S. Dist. N.Y., Dist. N.J., N. Dist. Ohio, N. Dist. Ill., E. Dist. Pa., and Dist. Mass.

CHARGE: 402(a)(2)—the article was a raw agricultural commodity and, when shipped, contained a pesticide chemical, namely, DDT, which is unsafe within the meaning of 408(a) since the quantity of such pesticide chemical on the article was not within the limits of the tolerance prescribed by regulations.

DISPOSITION: Between 12-23-57 and 1-27-58. Default—destruction.

24726. Fresh spinach. (F.D.C. No. 41247. S. No. 70-374 M.)

QUANTITY: 864 bushel baskets at Yeadon, Pa.

SHIPPED: 12-11-57, from Crystal City, Tex., by Warren Wagner.

LIBELED: 12-20-57, E. Dist. Pa.

CHARGE: 402(a)(2)—the article was a raw agricultural commodity and contained, when shipped, a pesticide chemical, DDT, which is unsafe within the meaning of the law since the quantity of such pesticide chemical on the article was not within the limits of the tolerance prescribed by regulations.

DISPOSITION: 12-23-57. Default—destruction.

24727. Dried fava beans, dried cranberry beans, dried chestnuts, and rice. (F.D.C. No. 40941. S. Nos. 76-649/52 M.)

QUANTITY: 2 110-lb. bags of dried fava beans, 3 100-lb. bags of dried cranberry beans, 3 bags of dried chestnuts, and 2 100-lb. bags of rice at South Boston, Mass.

SHIPPED: Between 8-14-56 and 3-11-57, from San Miguel, Azores; San Francisco, Calif.; Naples, Italy; and Houston, Tex.

LIBELED: 11-6-57, Dist. Mass.

CHARGE: 402(a)(3)—contained insects while held for sale.

DISPOSITION: 12-23-57. Default—destruction.

24728. Canned mushrooms. (F.D.C. No. 39135. S. Nos. 36-369 M, 49-296 M.)

QUANTITY: 66 cases, 24 cans each, at Detroit, Mich.

SHIPPED: 12-31-55, from Hudson, N.Y., by K-B Products Corp.

LABEL IN PART: (Can) "Elf Brand Stems and Pieces Mushrooms Drained Wgt. 4 Oz. Net Avd."

LIBELED: 5-29-56, E. Dist. Mich.

CHARGE: 402(a)(3)—contained a decomposed substance when shipped; and 403(g)(1)—the article failed to conform to the definition and standard of identity for canned mushrooms since the article had not been processed by heat so as to prevent spoilage.

DISPOSITION: 10-25-56. Default—destruction.